

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
OXFORD DIVISION**

**FRANKLIN L. SIBLEY**

**PLAINTIFF**

**v.**

**CIVIL ACTION NO. 3:20-CV-00282-GHD-JMV**

**CITIZENS BANK & TRUST COMPANY  
OF MARKS, QUITMAN COUNTY, MISSISSIPPI  
And PEYTON MB SELF III**

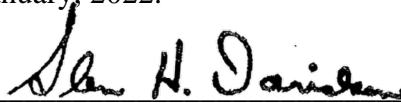
**DEFENDANTS**

**ORDER GRANTING IN PART AND DENYING IN PART**  
**DEFENDANT SELF'S MOTION TO DISMISS**

Pursuant to an opinion issued this day, it is hereby ORDERED that:

- (1) the Joint Motion to Dismiss and Motion to Strike Jury Demand filed by Defendant Peyton MB Self III [7] is GRANTED in part and DENIED in part;
- (2) the Defendant's request to dismiss the Plaintiff's claims alleging state law causes of action for breach of contract, tortious breach of contract, and intentional interference with contractual relations [1] is GRANTED;
- (3) the Defendant's request to strike the Plaintiff's jury demand [1] is GRANTED;
- (4) the Defendant's request to dismiss the Plaintiff's claim alleging a cause of action under § 510 of the Employee Retirement Income Security Act of 1974 ("ERISA") [7] is DENIED;
- (5) the Plaintiff's claims against Defendant Self under ERISA §§ 502(a) and 503 [1] are dismissed; and
- (6) the Plaintiff's claim under ERISA § 510 [1] shall be allowed to proceed.

SO ORDERED, this the 18th day of January, 2022.

A handwritten signature in black ink, appearing to read "Sen. H. Davidson", written over a horizontal line.

SENIOR U.S. DISTRICT JUDGE